

REMARKS/ARGUMENTS

Claim Status and Amendment to the Claims

Claims 1-18 and 27 are now pending.

The Examiner is thanked for his kind allowance of claims 1-18.

Claims 19-26 have been cancelled by this amendment, without prejudice.

Claims 10 and 27 have been amended to further particularly point out and distinctly claim subject matter regarded as the invention. The amendment is of a clerical nature or otherwise in accordance with the Examiner's suggestion regarding formality, and thus raises no new issue or requires no new search.

Judicially-Created Double Patenting

Claims 19, 23 and 27 stand rejected under the judicially-created doctrine of obviousness-type double patenting as being unpatentable over claim 25 of U.S. Pat. No. 6,288,565.

Regarding claims 19 and 23, these claims have been cancelled, without prejudice. With this amendment, withdrawal of the rejection to claims 19 and 23 is respectfully requested.

Regarding claim 27, Applicant respectfully submits that claim 27 is an apparatus claim corresponding to allowed claim 10 which is directed to a method for framing data in a receive deserializer circuit, and that claim 27 recites respective means for performing

each process of the method recited in claim 10. Accordingly, claim 27 should be allowable at least for the same reasons as claim 10. Withdrawal of the rejection to claim 27 is respectfully requested.

The 35 U.S.C. §112 Rejection, Second Paragraph

Claim 27 stands rejected under 35 U.S.C. §112, second paragraph, as being allegedly indefinite for failing to particularly point out and distinctly claim the subject matter applicant regards as the invention. The Examiner specifically mentions that “said demultiplexer” in line 16 of claim 27 lacks sufficient antecedent basis.

Claim 27 has been amended to replace “said demultiplexer” with --a demultiplexer-- such that there is no insufficient antecedent basis in the claim. With this amendment, withdrawal of the 35 U.S.C. §112, second paragraph, rejection is respectfully requested.

Please note that claim 10, which is a method claim corresponding to claim 27, has also been amended in the same manner such that there is no insufficient antecedent basis in claim 10. These amendments to claims 10 and 27 do not raise a new issue or require a new search, since the Examiner has already considered the issue and pointed out in the Final Office Action.

The 35 U.S.C. §103 Rejection

Claims 19-26 stand rejected under 35 U.S.C. §103(a) as being allegedly

unpatentable over Chen et al. (U.S. Pat. No. 5,398,249) in view of Rodman et al. (U.S. Pat. No. 4,411,007).

Rejected claims 19-26 have been cancelled, without prejudice. Accordingly, it is respectfully requested that the rejection of claims based on Chen and Rodman be withdrawn.

In view of the foregoing, it is respectfully asserted that the claims are now in condition for allowance.

Conclusion

It is believed that this Amendment places the above-identified patent application into condition for allowance. Early favorable consideration of this Amendment is earnestly solicited.


Request for Entry of Amendment

Entry of this Amendment will place the Application either in condition for allowance, or at least, in better form for appeal by narrowing any issues. Furthermore, as explained above, the present amendment neither raises a new issue nor requires a new search. Accordingly, entry of this Amendment is appropriate and is respectfully requested.

If, in the opinion of the Examiner, an interview would expedite the prosecution of this application, the Examiner is invited to call the undersigned attorney at the number indicated below.

The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 12-2252 (LSI Logic Corporation).

Respectfully submitted,
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